

REMARKS

Claims 1-60 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 5,662,108 to Budd et al. (“Budd”). Claim 51 has been amended to correct the erroneous duplication of claims 51 and 52. No claims have been amended to overcome any present or subsequent prior art rejection.

Without acquiescence that Budd is a §102(e) prior art reference, and without prejudice to antedate this reference should it become necessary, Applicant traverses the rejections of claims 1-60, since Budd does not disclose each and every element required by these claims.

Specifically, the Examiner refers to the two representations illustrated in Fig. 7 of Budd as deformable models. Applicant respectfully disagrees. The claims require generating a three-dimensional model of a region of interest, and then deforming that model. For example, transformations can be sequentially performed on the the same heart model, so that it is dynamically deformed to the measured points as they are taken. (See specification, page 51, line 19 to page 60, line 21 for examples of heart model deformation methods, as well as examples of other features of the claimed invention.)

In contrast, Budd does not generate a heart model, and then deform it. Instead, Budd separately generates heart models and then serially combines them in time to provide a dynamic representation of a beating heart—much like a motion picture. That is, for each set of measurements, a new heart model is generated from scratch. (see Fig. 5 of Budd).

Applicant would also like to point out that the Examiner has not addressed many of the features recited in the claims in addition to those recited in claim 1. For example, Applicant cannot find in Budd many of the additional elements recited in claims 2-4, 6-12, 15,17-24, 30-32, 35, 38-40, 42, 45, 48, 50, 52-55, and 57-60. If the Examiner believes otherwise, she is respectfully requested to

point out where these additional features are disclosed in Budd. Applicant notes these additional features are just some of the features that, based even on their broadest reasonable interpretation, Applicant cannot locate in Budd. Applicant does not acquiesce that Budd discloses the additional features recited in other claims not listed above.

Thus, Applicant submits that claims 1-60 are not anticipated over Budd, and as such, respectfully request the Examiner to withdraw the rejections of these claims.

Conclusion

Based on the foregoing, entry of this amendment and a Notice of Allowance is respectfully requested. If the Examiner has any questions or comments regarding this amendment, the Examiner is respectfully requested to contact the undersigned at (714) 830-0600.

Respectfully submitted,

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